

ENVIRONMENTAL LEAD NEWSLETTER

March - April 1999

Updates and Announcements

Agency Internet WEB Page Information

REMINDER: The names and phone numbers of the individuals or companies who have been certified by the Department, have been submitted for **placement on** consumer accessible Internet agency **WEB page** information. If you do not wish to be on this listing contact this agency and will remove the name as soon as possible.

Renewal of Certification

The certification of several individuals will expire this year. Note, according to 902 KAR 47:080 certification expires two years after the issuance date, indicated on the individuals certificate. Also, note specific re-certification requirements are indicated in Section 3 of the regulation. Two important requirements are:

First, the application must be submitted at least sixty (60) prior to the expiration date.

Second, a departmental accredited refresher course must have been taken within this two-year period of time. You should check to see if you are one of these individuals.

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Inspector/Risk Assessor Issues

XRF Licensing Requirements:

Determination of lead content of painted surfaces often requires the possession and use of a device known as an "X-ray Fluorescent Analyzer" (XRF). This device contains a small radioactive source which, pursuant to Kentucky Radioactive Materials Regulations 902 KAR 100, must be licensed by the Kentucky Radiation Health and Toxic Agents Branch. If you are a Kentucky resident or business and choose to obtain an XRF, please contact the Radiation Health and Toxic Agents Branch at (502) 564-3700 to apply for a license prior to obtaining an XRF device.

ALL APPLICATIONS WILL BE REVIEWED IN THE ORDER RECEIVED. If you have any questions, or need assistance in completing the application, you may contact the above listed office at the indicated telephone number between 8:00 am and 4:30 PM Eastern time, Monday through Friday.

If you are an out-of-state resident or business holding a specific radioactive material license issued by the United States Nuclear Regulatory Commission or another Agreement State, you must obtain reciprocal recognition of your out-of-state license prior to performing licensed activities within the State of Kentucky. The reciprocity fee is three hundred (\$300.00) dollars, good for up to one hundred eighty (180) days in a calendar year. For additional information concerning reciprocal recognition, you may contact the Radioactive Materials Program at the above number.

Reports

As of this date the department has certified forty (40) inspectors or risk assessors. However, we have received very few reports. According regulatory requirements copies of reports are required to be submitted within thirty (30) days after the completion of the activity. I question why this is the case.

Submission of these reports is a requirement for continued certification!!!!

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Renewal of Accredited Training Courses

Training courses are also accredited for a two-year period, and the expiration dates are indicated on the chart on page 5 of this newsletter. There are courses that several courses that will expire this year.

As per indicated in 902 KAR 47:090 Section 14 the application for course renewal must be submitted sixty (60) days before the expiration date and any updates of training or course changes must be indicated. All training providers should check the dates of the departmental correspondence to determine when they need to submit the renewal application.

Notification to Local Housing Authority Officials

Note, that agency staff, Brian Short (Western, KY), Nancy Cooper (Eastern, KY), Janice Hollan (Central Kentucky), and Terry M. Wescott are visiting local housing to discuss the agency program efforts, needed regulatory interpretative and education materials, determine history of lead inspections and past lead hazard abatement activities, and future lead hazard abatement activities in order for the agency to plan time and be available to provide support to these individuals; when the abatement activities are conducted.



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Abatement Issues

Kentucky law KRS 211.9063 requires that certification is required before a person or company performs or offers to perform lead-hazard detection or lead-hazard abatement services in target housing or in a child-occupied facility.

This important to remember for two reasons:

First, the person is in violation with the law and secondly, the lack of knowledge of specific regulatory requirements, including fees often leads to these persons or companies underbidding these abatement jobs.

There also seems to be some confusion about the regulatory requirements for non-target housing and non-child occupied facilities (public buildings, etc.) Note, that this agency does not regulate these activities. However, since lead removal is involved, Occupational Safety and Health Association (OSHA) standards and EPA disposal rules may be applicable. Lead training, testing, medical directives, and certain record keeping are required.

You should contact state or federal OSHA officials if you have questions before beginning the abatement activities. This agency has a cooperative agreement to share knowledge of any lead removal activities in this State with these agencies.

Training Provider Issues

We have become aware that some of the Kentucky accredited training providers have planned or have taught courses in unauthorized states after March 1999.

Note, you are required to be accredited by the Environmental Protection Agency (EPA) in order to teach courses in these states or offer to provide training designed to prepare persons to become certified in an unauthorized state. As an authorized state we are required to cooperate with EPA and report knowledge of any such activity.

